

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

3:06cr451

UNITED STATES OF AMERICA

vs.

KENDRICK OMAR HAMMOND

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant pro se for a reduction of sentence based on the temporary, emergency amendments to the United States Sentencing Guidelines (USSG) promulgated in response to the Fair Sentencing Act of 2010. (Doc. No. 62).

The defendant was sentenced on November 12, 2008, for an offense committed on October 4, 2006. (Doc. No. 44: Judgment at 1). He claims that he is entitled to re-sentencing based on amendments to the guidelines that became effective November 1, 2010. (Doc. No. 62: Motion at 4). Those changes are designated as Amendment 748. USSG Supp. at 36 (Nov. 1, 2010). However, USSG §1B1.10(c), which lists amendments to be applied retroactively, has not been changed to include Amendment 748. Accordingly, the defendant is not eligible for a sentence reduction.

**IT IS, THEREFORE, ORDERED** that the defendant's motion is **DENIED**.

Signed: November 17, 2010



Robert J. Conrad, Jr.  
Chief United States District Judge

